

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for considering the present application.

**Disposition of Claims**

Claims 14-24 were pending in the referenced application. By way of this reply, claim 20 has been cancelled, without prejudice or disclaimer. Accordingly, claims 14-19 and 21-24 are now pending in the referenced application. Claims 14 and 21-23 are independent. The remaining claims depend, directly or indirectly, from independent claims 14 and 23.

**Claim Amendments**

Claims 14, 21 and 23 have been amended to clarify various aspects to the invention. Support for the aforementioned amendments is present, for example, in original claims 7 and 12. Further, claim 22 has been amended to clarify that the claim is directed to a removable device. Support for the aforementioned amendment is present, for example, in the original claims and Figure 1. Finally, claim 23 is further amended to clarify that the instructions are "recorded" on the computer readable medium. Support for the aforementioned amendment is present, for example, in original claims 10 and 11. No new matter has been added by any of the aforementioned amendments.

**Amendments to the Specification**

The specification has been amended to remove the phrase “(of the ADN file)” from paragraph [0044].

### **Drawing Objections**

Figure 1 has been amended to include an elementary file. Figure 2 has been amended to be consistent with the disclosure on page 6, line 19-27 of the specification. In addition, paragraph [0044] has been amended to remove the phrase “(of the ADN file).” Finally, Applicant disagrees with the Examiner’s statement that the features listed on page 5 of the Office Action mailed on May 30, 2007, are not shown in the figures. Specifically, Figure 2 references Steps 1-4. Steps 1-4 are described in detail on pages 6-8 of the specification. Accordingly, the claimed features are shown in the Figures.

Moreover, to the extent any of the claimed features are described in relation to Steps 1-4, the Applicant respectfully asserts that the specification adequately describes the elements of the claimed invention and, accordingly, a graphical depiction of the elements in the drawings is not required. In view of the above, the Applicant asserts that the drawings, as pending, satisfy the drawing requirements of the rules outlined under C.F.R. § 1.83(a). Accordingly, withdrawal of the objection is respectfully requested.

### **Claim Objections**

Claim 20 has been cancelled by this reply. Accordingly, this objection is now moot and withdrawal is respectfully requested.

**Rejections under 35 U.S.C. §101**

Claims 22-24 stand rejected under 35 U.S.C. § 101 for failing to recite statutory subject matter. This rejection is respectfully traversed. With respect to claim 22, the claim has been amended to clarify that it is directed to a “removable device.” A removable device is a physical article and, accordingly, satisfies the requirements of 35 U.S.C. § 101.

With respect to claims 23 and 24, claim 23 has been amended, in accordance with the Examiner’s suggestion, to clarify that the instructions are recorded on a computer readable medium. Accordingly, claim 23 and dependent claim 24 now satisfy the requirements of 35 U.S.C. § 101. In view of the above, withdrawal of this rejection is respectfully requested.

**Rejections under 35 U.S.C. §112**

Claims 19-20 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. Claim 20 has been cancelled by this reply. Accordingly, this rejection is now moot with respect to cancelled claim 20. With respect to claim 19, the rejection is respectfully traversed. Specifically, claim 19 recites, in part, “the new synchronization object is used to detect modifications to the first database after the last synchronization.” The aforementioned limitation requires that the synchronization object is used to detect changes to the first database. This limitation is consistent with the portions of the specification cited by the Examiner on page 9 of the Office Action mailed on May 30, 2007. It is not clear to the Applicant

how the Examiner, based on the above claim limitations and portions of the specification, is reaching the conclusion that "the synchronization object can be[sic] able to detect its own modification." Office Action mailed on May 30, 2007, page 9. Such an interpretation is not consistent with the explicit language of the claims or the clear teachings of the specification. In view of the above, the Applicant asserts that claim 19, as written, is enabled by the specification and, thus, satisfies 35 U.S.C. § 112, first paragraph. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 14-24 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. Claim 20 has been cancelled by this reply. Accordingly, this rejection is now moot with respect to cancelled claim 20. With respect to claims 14-19 and 21-24, the rejection is respectfully traversed.

The Examiner has asserted that the term "synchronization object" is not described in the specification to enable one of ordinary skill in the art to make or use the invention as claimed. The Applicant disagrees. First, the specification provides a definition for the term at p. 8, l. 28- p.9, l.1. The specification then provides a detailed discussion of how the synchronization object may be used on at least pages 5, 6, and 8.

Second, the Applicant asserts that the above disclosure satisfies the requirements outlined in MPEP § 2164.01(c), which states:

If a statement of utility in the specification contains within it a connotation of how to use, and/or the art recognizes that standard modes of administration are known and contemplated, 35 U.S.C. 112 is satisfied. *In re Johnson*, 282 F.2d 370, 373, 127 USPQ 216, 219 (CCPA 1960); *In re Hitchings*, 342 F.2d 80, 87, 144 USPQ 637, 643 (CCPA 1965). See also *In re Brana*, 51 F.2d 1560, 1566, 34 USPQ2d 1437, 1441 (Fed. Cir. 1993).

In view of the above, claims 14-19 and 21-24 are enabled. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 17 stands rejected under 35 U.S.C. § 112, second paragraph for lacking antecedent basis. The rejection is respectfully traversed. Specifically, the term “program” is first used in dependent claim 17. Accordingly, the term is preceded by an “a.” Thus, the term “program” has sufficient antecedent basis and, accordingly, withdrawal of this rejection is respectfully requested.

Claim 22 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claim 22 has been amended to clarify that the removable device comprises both the first database and the program. Thus, claim 22 is no longer indefinite. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. § 102**

Claims 14-16 and 21-24 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent No. 2003/0037020 (“Novak”). To the extent that this rejection applies to the amended claims, the rejection is respectfully traversed.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP § 2131. Applicant asserts that Novak fails to disclose all of the limitations of amended independent claim 14.

Specifically, amended independent claim 14 recites, in part, “generating, by the removable subscriber identity module, a new synchronization object...” (Emphasis added). The above limitations requires that the removable subscriber identity module (*e.g.*, the SIM card (CAR))

and not the mobile phone (*e.g.*, MOB), generates the synchronization object. In contrast, Novak discloses that the checksum (which the Examiner equates to the claimed synchronization object) is generated by the processor (*see e.g.*, claims 13-16<sup>1</sup>). Because Novak fails to disclose the generation of the checksum in the removable subscriber identity module, Novak fails to disclose all the limitations of amended independent claim 14. Thus, amended independent claim 14 is patentable over Novak.

Independent claims 21-23 include similar limitations and, thus, are also patentable over Novak for at least the same reasons as amended independent claim 14. Dependent claims are patentable over Novak for at least the same reasons as the aforementioned independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. § 103**

Claims 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Novak in view of U.S. Patent No. 6,968,209 ("Ahlgren"). Claims 17 and 18 depend from amended independent claim 14. This rejection is respectfully traversed.

To establish a *prima facie* case of obviousness, "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143. Applicant asserts that Novak and Ahlgren fail to teach or suggest all the claim limitations.

As discussed above, Novak fails to teach or suggest all the limitations of amended independent claim 14. Further, Ahlgren fails to disclose that which Novak lacks as evidenced by the fact that Ahlgren is only relied upon to teach the limitations of claim 17 and 18. *See Office*

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<sup>1</sup> Novak does not include any additional information about where the checksum is calculated.

Action mailed May 30, 2007, pp. 19-20. Moreover, Ahlgren is silent with respect to “generating, by the removable subscriber identity module, a new synchronization object...”

In view of the above, Novak and Ahlgren, whether considered separately or in combination, fail to teach or suggest all the limitation of amended independent claim 14. Thus, amended independent claim 14 is patentable over Novak and Ahlgren. Dependent claims 17 and 18 are patentable over Novak and Ahlgren for at least the same reasons as amended independent claim 14. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Novak in view of Applicant Admitted Prior Art (AAPA). Claim 20 has been cancelled by this reply. Accordingly, this rejection is now moot with respect to cancelled claim 20. With respect to claim 19, the rejection is respectfully traversed. Claim 19 depends from amended independent claim 14. This rejection is respectfully traversed.

To establish a *prima facie* case of obviousness, “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” MPEP § 2143. Applicant asserts that Novak and Ahlgren fail to teach or suggest all the claim limitations.

As discussed above, Novak fails to teach or suggest all the limitations of amended independent claim 14. Further, AAPA fails to disclose that which Novak lacks as evidenced by the fact that AAPA is only relied upon to teach the limitations of claims 19 and 20. *See* Office Action mailed May 30, 2007, p. 21. Moreover, Ahlgren is silent with respect to “generating, by the removable subscriber identity module, a new synchronization object...”

In view of the above, Novak and AAPA, whether considered separately or in combination, fail to teach or suggest all the limitation of amended independent claim 14. Thus,


amended independent claim 14 is patentable over Novak and AAPA. Dependent claim 19 is patentable over Novak and AAPA for at least the same reasons as amended independent claim 14. Accordingly, withdrawal of this rejection is respectfully requested.

### Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number: 09669/046001).

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Respectfully submitted,

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Attachment (Replacement Sheet)